

MOTION BY SUPERVISORS HILDA L. SOLIS AND
MARK RIDLEY-THOMAS

DECEMBER 1, 2015

MOTION TO JOIN AN AMICUS CURIAE BRIEF IN STATE OF TEXAS V. UNITED STATES OF AMERICA

On November 20, 2014, the Obama Administration issued an Executive Action setting enforcement priorities which, if enacted, would defer deportation for nearly half a million longtime residents of Los Angeles County.

In December 2014, Texas filed a lawsuit challenging the President's authority to issue the Executive Action.

A preliminary injunction by a federal judge in Texas, announced on February 16, 2015, delayed the scheduled implementation of the Deferred Action for Childhood Arrivals (DACA) and Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) programs which are part of the Executive Action. That decision was appealed to the Federal Fifth Circuit Court of Appeals ("Fifth Circuit").

On February 24, 2015, the Los Angeles County Board of Supervisors approved a motion to establish a task force to ensure effective implementation of the Executive Action.

HOA.1613248.1

MOTION

SOLIS _____

RIDLEY-THOMAS _____

KUEHL _____

KNABE _____

ANTONOVICH _____

In addition, the Major Cities Chiefs Association, the Police Executive Research Forum and 27 police chiefs and sheriffs also filed an amicus brief in support of these programs, stating that the programs will assist local law enforcement in effective prosecution of serious crimes. In particular, law enforcement leaders have expressed support for measures, such as Deferred Action, that help law enforcement maintain a relationship of trust with diverse and immigrant-rich communities.

In April, 2015, pursuant to your Board's March 17, 2015 motion, the County signed onto an amicus brief with a nationwide coalition of cities, counties and mayors in the Texas, et al. v. United States, et al. lawsuit, supporting the legality of President Obama's Executive Action on Immigration. On November 9, 2015, the Fifth Circuit affirmed the federal judge's preliminary injunction preventing the nationwide implementation of the President's Executive Action. On November 20, 2015, the U.S. government filed a petition for certiorari in the U.S. Supreme Court.

The New York City Law Department and the Los Angeles City Attorney's Office are preparing an amicus brief in support of the certiorari petition in the U.S. Supreme Court. Cities and counties throughout the nation intend to join in the amicus brief.

The County of Los Angeles, home to more than 460,000 residents who could qualify for the programs, needs to have its voice heard, by signing on to the amicus brief when the opportunity arises.

WE, THEREFORE MOVE that the Board of Supervisors:

Direct County Counsel to join the efforts of Cities of New York and Los Angeles, and other cities and counties throughout the nation by signing on to the amicus brief which seeks review by the U.S. Supreme court of the Fifth Circuit's decision in Texas v.

United States, to support President Obama's November 20, 2014 executive action on immigration.

WE FURTHER MOVE that:

If the U.S. Supreme Court accepts this case for review, County Counsel is directed to join these and/or other jurisdictions or organizations in an amicus brief in the U.S. Supreme Court in an effort to reverse the Fifth Circuit's decision and instead uphold President Obama's Executive Action.

#

SUP: HLS/MRT/RV/CC